

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**ERIC MARASCIO**

)  
)  
)  
)

**4:22CR00110**

**MOTION TO REVIEW ORDER OF DETENTION**

Defendant ERIC MARASCIO, by and through counsel, respectfully moves this Court, pursuant to 18 U.S.C. §§3145(b) and 3145(c), to review the Order of Detention entered in this case on June 2, 2022, and as grounds, shows the Court:

1. ERIC MARASCIO had an Arraignment Hearing on May 18, 2022. ERIC MARASCIO entered a plea of not guilty. The government moved to detain defendant pending trial. Mr Marascio requested a detention hearing which was scheduled for May 24, 2022.
2. On May 23, 2022 ERIC MARASCIO filed an unopposed Motion to Continue his detention hearing. The detention hearing was rescheduled for May 31, 2022.
3. On May 31, 2022, ERIC MARASCIO, had his dentention hearing in which Jamie McCarty testified on behalf of Mr. Marascio and informed the Court that she would be a willing third party custodian if Mr Marascio was given conditions of release. The Court took the matter under advisement and Mr. Marascio was remanded.
4. On June 2, 2022, the Court entered an Order of Detention Pending Trial. The Court set forth its reasons for detention in its findings.
5. Since the Order of Detention was entered several factors have come to light which may potentially change the Court's position regarding detention of Mr. Marascio pending trial.

The Court mentioned the necessity of a “ping order” to locate Mr. Marascio. There was testimony by Agent Brown that Mr. Marascio’s parole officer had threatened to issue an arrest warrant on one occasion if Mr. Marascio did not respond. Mr. Marascio was in constant communications and meetings with his parole officer for six years without being violated. Mr. Marascio did not miss appointments, check-ins or UA’s during his parole.

Mr. Marascio did not notify his parents of previous detention hearing and they are now aware of Mr. Marascio’s situation and have informed me that they would be willing third party custodians.

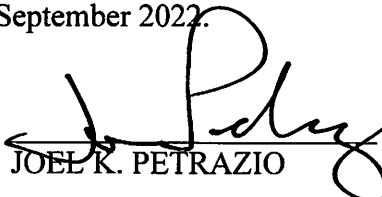
Wherefore, for these reasons, the defendant, ERIC MARASCIO, respectfully requests that her motion be granted, and for the Court to set a hearing to determine whether there are any bond conditions that could be entered for ERIC MARASCIO’s release.

Respectfully submitted,

  
JOEL K. PETRAZIO  
State Bar No. 00794447  
5465 Legacy Drive, Suite 650  
Plano, Texas 75024  
(972) 965-1016 Phone  
(972) 382-1201 Fax  
Peraziolaw@gmail.com  
ATTORNEY FOR DEFENDANT

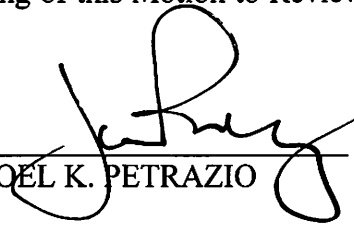
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing Motion to Review Order of Detention has served upon Mr. Anand Varadarajan, Assistant United States Attorney, via electronic filing this the 12<sup>nd</sup> day of September 2022.

  
JOEL K. PETRAZIO

**CERTIFICATE OF CONFERENCE**

I hereby certify that I spoke with Assistant United States Attorney Anand Varadarajan on September 2, 2022 regarding the setting of this Motion to Review Order of Detention and he is opposed.

  
\_\_\_\_\_  
JOEL K. PETRAZIO